



#11/Response  
YON  
7-16-02  
PATENT

Customer No. 22,852  
Attorney Docket No. 8521.0005-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert POLLIN

Serial No.: 09/492,133

Filed: January 27, 2000

For: AUTOMATED PAYMENT SYSTEM  
AND METHOD

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)  
) Group Art Unit: 2166  
)  
) Examiner A. Kalinowski  
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Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**Response to Requirement for Information under 37 C.F.R. § 1.105**

In reply to the Office Action dated March 12, 2002, having a period for reply that has been extended until July 12, 2002 by a Petition for Extension of time and fee filed herewith, Applicant hereby submits documents in response to the Requirement for Information under 37 C.F.R. § 1.105.

Applicant's representatives telephoned the Examiner to clarify what documents were required to respond to the requirement under 37 C.F.R. § 1.105. The Examiner stated that he had not received all relevant information with respect to the Auto-Pay product, including any "marketing bulletins or brochures that were published by the AutoScribe Company." Applicant respectfully submits herewith all relevant information with respect to the Auto-Pay product available to the Applicant, including two post cards addressed to Transworld Systems, Inc. and Tri-Cities Credit Service, respectively; a

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

letter dated July 11, 1991 from Robert E. Pollin to Byrd & Forrest Collection Agency; a letter dated July 30, 1991 from Robert E. Pollin to Doctors Credit Service, Inc.; a Schedule of Fees for Collection Agencies with an effective date of June 1, 1991; a check for \$50.00 made payable to Berenger & Berenger; and a payment agreement for Berenger & Berenger.

Applicant also submits herewith copies of several articles that refer to the Auto-Pay software:

(1) Snigdha Prakash entitled "Putting the Payment on the PC," Washington Post, March 30, 1992. This article states: "AutoScribe has sold or leased the computer program to about 30 businesses since its introduction three months ago" (col. 3, second paragraph).

(2) An article entitled "Auto-Pay Introduces Dramatic New collection Tool," published in the May 1992 edition of the Collection Agency Report. This article describes various aspects of the Auto-Pay software.

(3) Arthur M. Hughes, "Your Check is in the Mail," Database Marketing Institute, downloaded from the Internet at <<http://dbmarketing.com/articles/Art111.htm>> on May 14, 2002. This article provides a brief history of how the Auto-Pay software was marketed and describes various operating aspects of the Auto-Pay software.

(4) An article written by an AutoScribe employee, Priscilla ("Pat") Grant. This article states: "Robert V. Hogan, Vice President of Marketing of AUTO-PAY, reported that nearly forty firms have leased or purchased the software since it became available to the public in January, 1992" (page 8, second paragraph).

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)

Applicant has listed the above described materials on a PTO Form 1449 attached to an Information Disclosure Statement filed concurrently herewith.

Applicant further calls to the attention of the Examiner the following litigation involving either AutoScribe and/or U.S. Patent Nos. 5,351,994; 5,504,677; 5,727,249; 5,966,698 and/or 6,041,315:

AutoScribe Corporation v. Goldman and Steinberg, et al., No. B93-2884 (D.M.D. 1993);

AutoScribe Corporation v. Goldman and Steinberg, et al., Civ. No. 94-2890 (D.N.J. 1994);

AutoScribe Corporation v. Peroutka & Peroutka, P.A., et al., No. DKC-94-315 (D.M.D. 1994);

National Credit Management Corporation v. Western Union Financial Services, Inc., et al., No. 96 Civ. 4609 (S.D.N.Y. 1996);

National Credit Management Corporation v. Novus Services, Inc., et al., Civ. No. S 96-3833 (D.M.D. 1998);

National Credit Management Corporation v. AutoScribe Corp. et al., No. 169,229 (C.C. Montgomery Co. M.D. 1998);

Intell-A-Check Corporation v. AutoScribe Corporation, et al., Civ. No. 01-4625 (D.N.J. 2001) (pending litigation); and

Reed M. Dworski v. AutoScribe Corporation, No. 222,951-V (C.C. Montgomery Co. M.D. 2002) (pending litigation).

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Please grant any additional extensions of time required to enter this response  
and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 12, 2002

By: 

Joseph E. Palys  
Reg. No. 46,508

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com